The John W. McCormack Institute of Public Affairs

Northern Ireland and South Africa: "Hope and History at a Crossroads"

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by
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University of Massachusetts Boston

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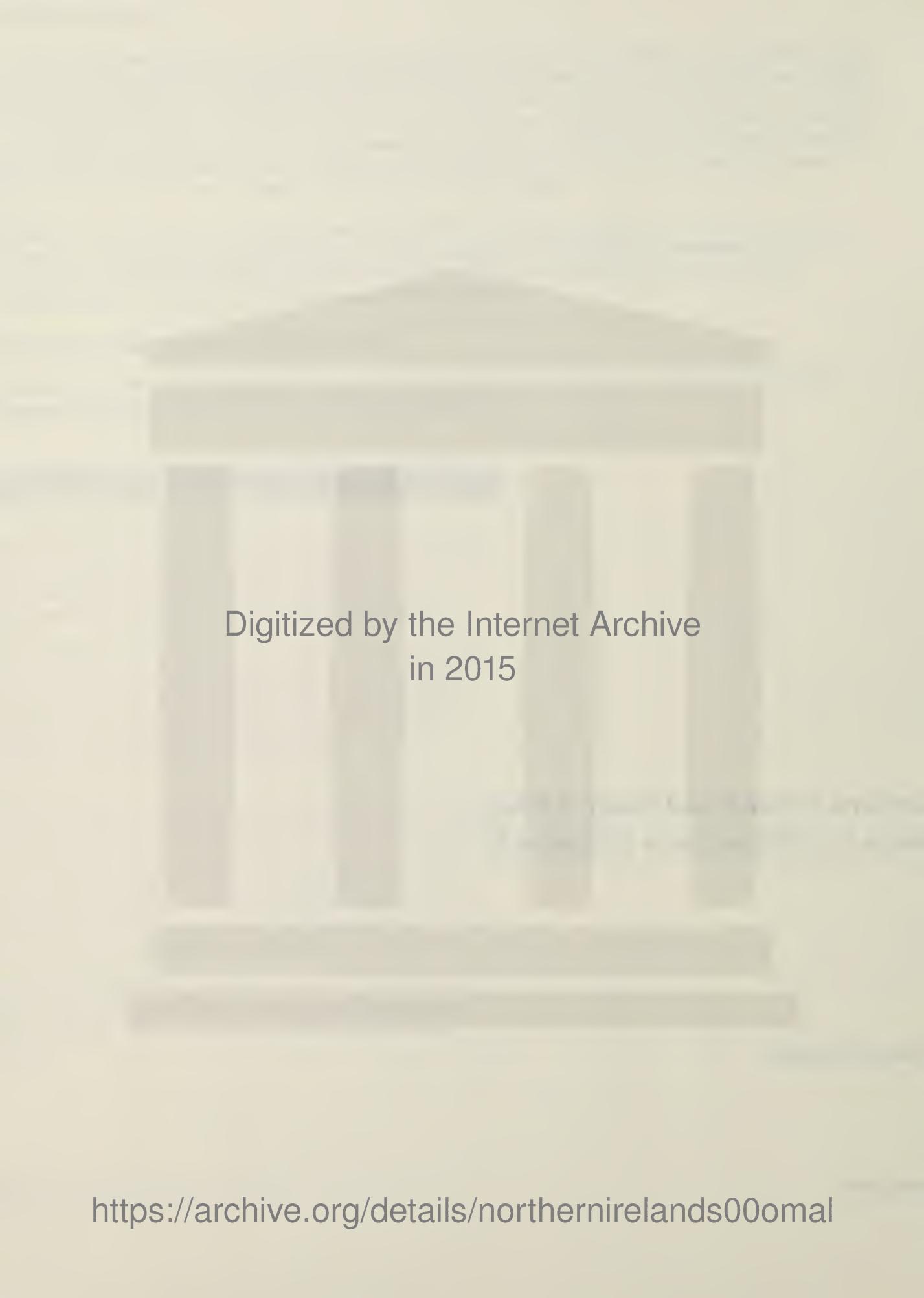
Northern Ireland and South Africa:
"Hope and History at a Crossroads"

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Your truth that lacks the warmth of lies,
the ability to compromise.
  John Hewitt

Whenever things threatened to fall apart during our negotiations — and they did on many
occasions — we would stand back and remind ourselves that if negotiations broke down the
outcome would be a blood bath of unimaginable proportions, and that after the blood bath we
would have to sit down again and negotiate with each other. The thought always sobered us up,
and we persisted, despite many setbacks.
  President Nelson Mandela
  Arniston, South Africa
        29 May 1997

South African President Mandela addressed his words to the leaders of political parties in Northern Ireland, including David Trimble and Martin McGuinness, at De Hoop, a secured conference facility in Arniston, a small town in the Western Cape.

The conference was dubbed the *De Hoop Indaba* — *Indaba* is the Zulu word for a "meeting of the minds." The event, which was hosted by the South African government, brought together the chief negotiators from all parties in Northern Ireland — the Ulster Unionist Party (UUP), the Democratic Unionist Party (DUP), the Alliance Party of Northern Ireland (APNI), the Social Democratic and Labour Party (SDLP), Sinn Fein (SF), the Women's Coalition (WC), the Ulster Democratic Party (UDP), the Progressive Unionist Party (PUP) and the Labour Party (LP), for a three-day private meeting with the people from *all* parties in South Africa who had negotiated the historic settlement in November 1993 that ended white minority rule, installed a nonracial transitional government, opened the way to South Africa's first nonracial election in April 1994, and the subsequent Government of National Unity (GNU).[1]

Today, President Nelson's words still resonate. Indeed, the constant refrain of the parties supporting the Good Friday Agreement (GFA) in the run-up to the referendum that endorsed the agreement was of a similar nature: If not the agreement, what is the alternative? A question that helped to sober up the electorate provided them with food for thought after thirty years of conflict and was certainly a factor in its decision to vote for the historic compromise. Eighteen months later, winding up his review of the agreement necessitated by the impasse over the formation of a power-sharing Executive that would include Sinn Fein, the political wing of the IRA, and the decommissioning of arms by the IRA, Senator George Mitchell addressed the assembled media and warned that "even the dogs in the street knew that without a power-sharing Executive in place,

there would be no decommissioning." When David Trimble had to ask his 858 colleagues on the Ulster Unionist Council who constitute the ruling body of the UUP to endorse his willingness to give Mitchell's recommendations a chance, he, too, posed the question to them in the same vein. And when he had to face them again in February 2000, his colleagues had to address this one unchanging reality.

NORTHERN IRELAND AND SOUTH AFRICA:
COMPARISONS AND CONTRASTS

Comparisons between the conflicts in South Africa and Northern Ireland should not be lightly made. However, the two share similarities that shed light on the nature of the conflict in each. The conflicts both in Northern Ireland and in South Africa have much in common, but to compare or contrast them directly without each being put in the context of its own history would be misleading and specious.

This much can be said. Both conflicts share common structural characteristics typical of divided societies. The dominant community (Afrikaners in South Africa, Protestants in Northern Ireland) came from settler populations, and the subordinate community (blacks in South Africa, Catholics in Northern Ireland) was indigenous. In both cases, the dominant community asserted an equal claim to the land.

Afrikaners trace their roots to a trading post their forebears established on the Cape of Good Hope in 1652. Protestants trace theirs to the plantation of Ulster in 1607. In neither case is there a "mother" country to which the designated "settler" population can return, nor would the designated "mother" countries regard themselves as such.

Many divided society conflicts have roots in the indigenous/settler dichotomy, especially where the settlers disposed of the indigenous as the ruling elite, but they are in themselves insufficient explications of the root causes of why conflict emerges in some multiethnic societies and why it does not in others.

There is no literature that comprehensively documents why some conflicts are more amenable to settlement - not resolution - than others. Each beats to the rhythms of its own contradictory impulses, hostage to myth and history, distortions of reality, imprisoned in misrepresentation, warped perceptions, and insatiable demands for revenge that are the legacy one generation bequeaths to the next. In some, the long duration of the conflicts leads to " the evolution of social mechanisms to regulate and control the relationships [between the parties in conflict], and unable either to remove each other and unwilling to assimilate, they gradually evolved forms of relationships which regulated rather than resolved their antagonisms."[2]

In Northern Ireland, such social controls evolved. Acceptable levels of political instability became the norm, thus reducing the pressure on the politicians and their party masters to engage in the intense dialogue that is inevitably necessary to break historical logjams.

In South Africa, apartheid mandated the forms of relationships that existed between blacks and whites. When apartheid began to crumble, the absence of political and social space to create new forms of relationships, except among certain elements of the elite, widened the divide between blacks and whites, encouraging the liberation movements to make the townships ungovernable. When it became increasingly clear that the government no longer had the stomach to pay them the price control the townships exacted, given its own uncertainties - and divisions - as to the way forward. These uncertainties were reinforced by the government's reluctant conclusions in the mid-eighties that apartheid was no longer a viable proposition nor one that could be propped up indefinitely by made-to-order reforms.

Yet, it remained unsure with what to replace apartheid, and unwilling – or unable — to contemplate the ramifications of the inevitable — a universal franchise and a total dismantling of the apartheid apparatus; in short, the surrender of power. Nevertheless, while the social controls to regulate the conflict were deteriorating at an exponential rate, they did not collapse, thus providing the leeway for the risks both the ANC and the National Party (NP) government had to confront in their respective communities in order to convince their constituencies that neither was about to sell them out in negotiations.

Certainly, the degree to which indigenous and settler populations intermix, the prevalence of intermarriage, the level of social integration, the degree to which religious or ethnic affiliations become purveyors of the perceived threats of difference rather than the perceived enrichments of diversity and the salience of dispossession as one group's historical starting point contribute enormously to political and socioeconomic imbalances. These eventually express themselves in conflict when satisfactory forms of equilibrium among competing interests become impossible to calibrate.

On the other hand, the "narcissism of small differences," which postulates that the more objectively alike opposing groups are, the more they magnify their pseudo differences is a more satisfying theoretical model to explore. In South Africa, marginal whites, especially Afrikaners in the lower classes who were part of the apartheid government's "welfare state" for its own (job reservation for whites only, for instance) — were far more opposed to reforms that would give more opportunities to blacks than better-off whites, since they would be far more likely to feel the consequences.[3] In Northern Ireland, support for militant Loyalism flourished in the Protestant working classes, also job beneficiaries of Protestant hegemony, who felt more threatened by changes that would provide more opportunities for Catholics than their middle- and upper-class compatriots.

In South Africa the militant white right drew its support from the ranks of the less well-off Afrikaner working class; in Northern Ireland, the Protestant paramilitary organizations drew their members from the less well-off Protestant working class.[4]

Thus, class differences exacerbate racial and ethnic affinities, and the consequences of radical change that would alter the balance of power among competing classes played an underreported, often subliminal role during negotiations in both conflicts. The elite have a highly developed propensity for protecting their own interests.[5]

In other respects, demography has shaped the contours of the conflicts in Northern Ireland and South Africa. In South Africa, the 17 percent minority white population dominated the black population; in Northern Ireland, at least until the British government abolished the Northern Ireland Parliament in 1972, the 65 percent Protestant population dominated Catholics. In South Africa the rate of growth of the black population greatly exceeds that of the white population, while in Northern Ireland the Catholic proportion of the population has been steadily increasing.

As a result, in South Africa, whites were being forced to face a situation in which their numbers alone would be insufficient to either ensure their capacity to maintain control of state institutions or to contain black insurrection. In Northern Ireland, the size of the Catholic minority continued to ensure that Protestant rule would be immobilized if Catholics were to withdraw their consent to the modes of governance. In both cases, the dominant group saw itself as being superior to the other — even marginal members of superior groups derive status from belonging to their particular group.

When that marginal status is threatened, they react, often violently, to protect their positions. Hence, in Northern Ireland, the fears of right-wing working-class Protestants who support Loyalist paramilitaries and, in South Africa the fears of marginal whites who flocked to the Conservative Party and militant right -wing organizations like the AWB. One of the less heeded lessons of history is that the "outs" in the "in" groups always want to preserve the status quo.

But as important, as a result of the manner in which both governments tried to "manage" their conflicts, a number of perceptions common to both developed. Both governments tried to promote allegiance to the state on the basis of law rather than on the consent of the governed. Both governments pursued policies that supplemented military measures to combat political terrorism by increasing use of the judicial process, and both ended up subverting the judicial process. And because both governments went out of their way to present the problem of violence as one of law and order, of internal security or national security, Catholics and blacks alike lost faith in the police, the whole paraphernalia of the legal and judicial systems, and therefore in the states themselves. The

perception of the Catholic community in Northern Ireland and the black community in South Africa was that the law was an instrument of the state's security and political policies rather than of justice.

Hence two antithetical perceptions of justice prevailed in each place. Northern Ireland Catholics and South African blacks regarded the administration of justice as being unfair; they saw themselves as being "policed" by the dominant Protestant and white communities, respectively; in each the police were the "enemy." Both argued that their state's emergency powers were aimed almost exclusively against them; they saw that those who were charged with upholding the law broke it routinely and were not held accountable for their actions.

South African whites and Ulster Protestants saw the reverse: The Irish Republican Army (IRA) and Umkhonto we Sizwe (respectively, the military wings of Sinn Fein and the ANC) were engaging in terrorist campaigns with the objective of overthrowing the state; both South African whites and Ulster Protestants feared being "swamped" or "absorbed" — whites in a South Africa ruled by an overwhelming black majority; Protestants in a united Ireland ruled by an overwhelming Catholic majority. Both regarded the security forces as too lenient with paramilitary groups; both argued that emergency laws were not sufficiently stringent and not enforced with sufficient vigor. Both saw Catholic and black unwillingness to support the police as indicative of support for the advocates of violence.

There are, of course, other significant differences, too, between both conflicts. One involves the question of sovereignty. Northern Ireland is part of the United Kingdom. However, Irish governments and the Irish constitution always asserted that Northern Ireland was a part of Ireland's national territory. No Irish government paid more than lip service to the claim, and no British government paid any attention to it. But in Northern Ireland, where ethnic affiliation was the defining characteristic of the conflict, the Irish constitutional claim was a fault-line.[6] Competing claims to different national identities are at the core of the conflict.

In South Africa, sovereignty, too, played a role in the conflict, but with a significant difference. At one level, the conflict centered on the majority of the citizens of South Africa demanding the right to exercise their prerogatives as citizens of South Africa, especially the right to vote. Until the mid-1980s, only whites were statutorily citizens; blacks were citizens of the ethnic homelands the white regime carved out for them. When that policy was revoked in 1986, it was not accompanied by the dismantling of apartheid and the all-encompassing range of laws that were flagrant violations of the human rights of the black community.

Hence, the crisis of legitimacy in South Africa that separated the protagonists. All South Africans — blacks (African, Coloured, and Indian) and whites share a

common identity – they regard themselves as South Africans. However, for whites the basis for identity was exclusiveness – a whites-only attribute.

Blacks were denied the franchise in South Africa because whites had designated them as citizens of their respective homelands, not as citizens of South Africa. Thus, what black liberation movements in South Africa sought was universal suffrage – one person, one vote – the recognition of their identity as South Africans, not as citizens of white-created ethnic homelands. For blacks the basis for identity was inclusiveness. However, universal suffrage would ensure that the black majority would rule the country, erasing the privileges and power of the ruling white minority. In short, blacks aspired to the rule of the majority and the white minority was prepared to go to any lengths to prevent a black takeover. Once whites acknowledged that all South Africans, regardless of color, were citizens of South Africa, they were faced with the dilemma of how to reconcile that belief with its corollary — the concomitant rights of blacks to full political rights — and simultaneously trying to prevent the death knell of white dominance.

But what defined the crucial differences between the two conflicts were the measures that the dominant communities adopted to preserve their power and privilege. In South Africa, the Afrikaner state implemented racial policies of apartheid and separation with methodical and brutal force. They made blacks nonpersons in their own country, forcing the resettlement of millions, destroying family life and undermining its social fabric, requiring them to live in underserviced and overpopulated townships or in white demarcated "Bantustans." Blacks were totally disenfranchised and denied any expression of their aspirations. Indeed, Afrikaners went one step further: They defined black aspirations, provided the "homelands" in which blacks could achieve them, and forcibly moved millions into these homelands so that they might enjoy the benefits of their "heritage"-as defined by whites.

But neither the level of subordination Catholics had to endure nor the harshness of the dominant regime ever reached the level of repression that the Afrikaner regime imposed in South Africa. To say, therefore, that the situations of South African blacks and Northern Ireland Catholics were similar is to trivialize the enormous suffering South African blacks endured. Apartheid was evil, condemned by the United Nations as "a crime against humanity." The kinds of majority domination practiced and enforced by Protestants in Northern Ireland were repulsive and wrong but hardly evil. Moreover, most of the measures of Protestant ascendancy were alleviated after the British government abolished the Ulster parliament and introduced Direct Rule in 1972.

While there are common elements to the inequities both societies face as a result of the legacies of past discrimination, injustices, and being deliberately disadvantaged – either through legislative measures or willful action on the part of the dominant group — the social and economic imbalances between Catholics

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and Protestants in Northern Ireland are relatively insignificant compared with the imbalances between blacks and whites in South Africa. Moreover, the emphasis put on redressing these injustices will be strikingly different. Socioeconomic imbalances in Northern Ireland will be addressed in the context of similar imbalances existing in other parts of the UK. In South Africa, the ANC, with its huge base of popular support, is attempting to restructure the "molecular" composition of society itself, to bring about a total transformation that will reach into every echelon of society through legislative means and within the broad boundaries of its new constitution.

In Northern Ireland, on the other hand, although many of the institutions that are shaping the South African transformation are provided for in the GFA – a Bill of Rights, Equality, Gender, and Human Rights commissions, and so on — their remits do not envisage societal restructuring and they do not have the breadth of powers of parallel institutions in South Africa.

Thus, while the purpose of negotiations in both societies was to produce a settlement which would ensure that all people were treated with "parity of esteem," the measures necessary to ensure parity will require a fundamental restructuring of South Africa on a scale that is not envisioned in the Northern Ireland settlement.

Another fundamental difference: the **moral** difference. The ANC represented the great majority of blacks and was engaged in a genuine war of national liberation that would give its people the voting franchise they were denied and the right to elect a government of their own choosing. The ANC resorted to an armed struggle only as a measure of last resort when the government refused to engage in discussions on measures to resolve any issue.[7] The ANC fought a just war, although the means it used to pursue a just aim were not always themselves just.[8]

The IRA, on the other hand, was not fighting a war of national liberation, did not enjoy widespread support in Northern Ireland and next to none in the South. At best, the IRA represented a minority (of nationalists) of a minority (republicans) of a minority (physical force hard-liners) in Northern Ireland, and was even more unrepresentative of the South's political proclivities.[9]

So while the ANCs met the criteria for a just war, the IRAs did not, and the IRA used innumerable occasions to employ unjust means in the pursuit of its unjust war. Any attempt on the part of militant republicans to equate the IRA actions with the actions of *Umkhonto we Sizwe* (MK) is both politically and morally indefensible. The former lacked political legitimacy and moral standing; the latter had both. Indeed, Nationalists' demands that erupted into mass confrontations between Catholics and Protestants in the late 1960s had been met by the British government.[10] In this sense there was never any moral equivalence between the two conflicts.

Questions of identity are invariably pulled out of the conflict-resolution hat to explain conflict in deeply divided societies. They are important to take into account, but at the root of conflict is fear: the fear the dominant class has of the consequences of change, whether it involves a loss of power, status, absorption by another culture, ethos, tradition, or whatever the values and norms and particular characteristics the dominant tradition associate as being essential to its own survival.

In Northern Ireland, which has been part of the UK since the partition of Ireland in 1921, the conflict is between two competing identities and national aspirations. Of the population of approximately 1.5 million, 40 percent are Catholics, most of whom regard themselves as Irish and aspire to become part of the rest of Ireland, which is 95 percent Catholic.

The majority of Catholics in Northern Ireland have consistently made it clear that they wanted to pursue the aspiration to Irish unity in a peaceful manner while being able to express their Irishness and participate on the basis of equality in the government in Northern Ireland. Hence their calls for power sharing in Northern Ireland and some institutional expression of their relationship with the rest of Ireland — the Irish Dimension.

The 60 percent of the population who are Protestants regard themselves as British and want to remain part of the UK. Their most profound fear is that the two governments – the British and the Irish – will somehow collude to "deliver" them into a united Ireland where they would be culturally and religiously absorbed and constitute a minority of 20 percent. The religious component of their fears cannot be overstressed.[11]

Most white South Africans had been "brainwashed" into believing that the South African Communist Party (SACP), was the vanguard of Soviet expansionism into Southern Africa, the "crown jewel" of its rapacious intentions. The threat of the Total Onslaught from atheistic Communism became ingrained in the white psyche.[12] The SACP, the subversive agent of the Soviets, was using the ANC as a front to overthrow the South African government and impose a communist regime.

The analogy with Protestant fears in Northern Ireland that they will somehow be coerced into a united Ireland is striking, all the more so because it, too, is irrational, the product of perceived rather than actual threat. They fear being subjected to the rule of a Catholic state that takes its marching orders from Rome. A significant number of Democratic Unionist Party supporters are members of Ian Paisley's Free Presbyterian Church or other right-wing Protestant sects. They fear negotiations, viewing them as instruments that are carefully calibrated to ensure that one day they will wake up to find themselves part and parcel of an all-Ireland state. They fear that if such a situation were to

arise, they would be absorbed into and dominated by the larger Catholic culture, and that religious and cultural absorption would inevitability lead to extinction. Ethnic cleansing of a different kind.[13]

In South Africa since the mid-eighties, the government had slowly come to the conclusion that its security apparatus, despite the magnitude of the resources at its disposal, could not "defeat" the liberation movement. The ANC had slowly come to the conclusion that the armed struggle and the internal campaign to make the country "ungovernable" could not "defeat" the government. Their trajectories were about to intersect.[14]

Again, in Northern Ireland, the situation was more complicated.

Only when Sinn Fein and the IRA were brought to the point where they understood that even though the British could not defeat the IRA they could contain it; that the IRA could not militarily defeat the British; that the British were not about to "withdraw" from Northern Ireland; that Northern Ireland would remain part of the UK as long as that was the wish of a majority of the people there; that an all-Ireland state was not in the offing unless the Catholic community could convince the Protestant community that its future lay in its being part of some all-Ireland arrangement rather than a peripheral part of Britain; that that might never happen and would never happen if the IRA continued to resort to violence; that the Protestants of Northern Ireland had the right to say no to a united Ireland; that the IRA's targeting of members of the RUC and the UDR as part of the British "killing" machine had embittered the Protestant community to the point where reconciliation would take a long time to achieve, that a united Ireland was not on the cards now, in the foreseeable future, or perhaps ever, could the first traces of a peace process emerge.[15]

The "enemy" with which they would have to negotiate was not the British government but the representatives of the Protestant community in Northern Ireland -- the UUP, DUP, PUP, and UDP. If they were ever to cut a deal, these were the stakeholders with whom they would have to cut the deal.

For its part, the Protestant community had to rethink some of its own most sacred shibboleths: that rule by the majority in a deeply divided society was not democratic since the dominant community would always be in a position to impose its will on the minority community; that it would have to accept entrenched power sharing between the two communities, providing for parity of esteem between their respective traditions, cultures, political aspirations, and senses of national identity; that its right to say no to a united Ireland was counterbalanced by the right of Catholics to aspire to one; that special relationships existed between the two parts of Ireland that had to be accommodated in an institutional framework; that the right of Catholics to express their Irishness had to be on an equal footing with the right of Protestants to express their Britishness.

Only when both sides had come to similar conclusions regarding the nature of the matters that had to be negotiated did a basis for negotiations exist. Both sides had legitimate rights and interests to protect; both had grievances that had to be addressed; neither "owned" victimhood, and neither could expect to achieve through a process of negotiations all that they had hoped for or aspired to.

Only when both could put the basis for a settlement in the perspective of what they had managed to achieve on their own behalf and what they had managed to preclude the other from achieving could there be actual, if gradual, "drift" towards agreement.

THE ARNISTON *INDABA*

The purpose of the Arniston conference was not to proscribe but for the South Africans to describe, share, bear witness, as it were, to their own experience that even in the most intractable of conflicts there are common denominators to the processes that must be created, the structures that must be put in place, the procedural principles that must be followed, the compromises that must be assented to, the trade-offs that must be condoned, and above all the trust that must be cultivated and blossom before negotiations can come to fruition, and a settlement, no doubt as flawed as the flawed individuals who put its fragile parts together, is agreed.

The most salient of these common denominators the South Africans identified for the Northern Irish were:

- *There should be transparency and openness in the negotiating process.* To whatever extent is possible, all stakeholders -- business, unions, other institutional organs of civil society, and the constituencies of the protagonists should be made part of the process. On no account should an impression be given that deals are being done behind closed doors.

- *On the other hand, some deals must be done in confidence — not in secret.* Confidentiality means that parties in bilateral or multilateral talks reach agreements that are not revealed at the time they are arrived at. But these agreements are ultimately part of the settlement "package" that *is* represented to the parties' constituents for their endorsement. Secret deals, on the other hand, are not put in the public domain, are only revealed in time, if at all, *after a* settlement is agreed but for which the public's endorsement is never sought. In the end, secret deals undermine negotiated settlements, especially when each party's constituencies are fearful that their interests may be bargained away.

A secret deal on a particular issue, once it is "sprung" on an unsuspecting public which may be accommodating itself to the new set of negotiated realities immediately raises questions across all divides regarding what other secret deals have been cut and still remain unknown to them. There are immediate outcries of concern. Whatever fears on all sides the settlement seemed to have mollified begin to resurface, but with even greater intensity, and the whole settlement begins to unravel.

In Northern Ireland, British Prime Minister Tony Blair skirted with the difference in the small hours of the morning of Good Friday 1998, when in response to being informed by David Trimble and other senior members of the UUP that they could not sell the Agreement to their colleagues because of the Agreement's language on decommissioning, reached for his pen and gave the Unionists what they wanted -- a reassurance that decommissioning would have to begin before the Executive was formed. If the price for an agreement was a letter of reassurance on decommissioning -- not made available to the other parties at this critical negotiating point -- Blair was prepared to pay the price, convinced that in the end he could square the circle. In his letter of "reassurance" to Trimble, Blair said: *In our view the effect of the decommissioning section of the agreement, with decommissioning schemes coming into effect in June[1998], is that the process of decommissioning should begin straight away.*[16]

That letter allowed Trimble to sell the GFA agreement to a majority in his party, but did not engender unanimity of support. It insured his leadership of the UUP, but not his command of it.

- *A related requirement: There must be no "fudge" factors.* Fudge factors don't paper differences; they dry in cement. One can tear up paper; cement you must bore through. When the cement has never hardened, it becomes impossible to bore. The language on decommissioning in the GFA is an indescribable mish-mash of ambiguity, defensible multi-interpretations; classical avoidance that led to its own ineluctable consequences -- the impasse that resulted was entirely predictable. Like most complex issues written in fudge, the fudge turned to mush. When Sinn Fein insisted that the agreement does not call for decommissioning on the part of the IRA as the price for its "admission" to the Executive, it is perfectly correct since its frame of reference is the agreement itself. And when the UUP insists that the agreement calls for prior, or at the very least parallel decommissioning on the part of the IRA, it, too, is perfectly correct since its frame of reference was the agreement plus the side letter of reassurance from Blair.

The South African Constitution that emerged out of the Multi-party Negotiating Process (MPNP) and the deliberations of the Constituent Assembly is a model of a document whose every "i" had been dotted and every "t" had been crossed.

- *Confidential talks/agreements are necessary because in a transparent environment, the Heisenburg principle – the principle that the nature of an event being observed changes by virtue of the observation itself – becomes an integral part of the process itself.* Thus, all transparent negotiations become hostage to the manner in which they are reported in the media, and thus to a propensity to negotiate sensitive issues through the media. Each party tries to put its own particular "spin" on matters, issues are reported in isolation from one another and without context. Agreement on a particular issue may be reported, which might make it appear that one party was making a major concession without any reciprocal concession on the part of the other, inevitably the context that the agreement is contingent on another set of arrangements in different strands of the negotiations. If particulars of a settlement are examined in isolation from one another, they will look very different and convey entirely different sets of implications than when they are examined as their all being part of the one package where the whole is greater than the sum of the particulars.

- *Progress comes only when negotiating parties learn to start trusting each other.* Trust is a learned behavior. When one party addresses another, especially in a bilateral, it must do so with particular sensitivity to the other party's politics and the difficulties it may be having with its own community - or even within the party's own ranks.

- *Parties must put themselves in the shoes of their protagonists.* They must help their protagonists to bring their communities with them. In the end, successful negotiations are not so much about bringing your community along with you, as helping your protagonists bring their communities along with them. Respect for the others' positions is germane to the whole process. The ANC and the South African Government (SAG) thought they learned this at a relatively early stage in the process. They hadn't. Mistaken preconceptions on the part of both, only "corrected" after the protracted "back channel" negotiations that led to the Record of Understanding. The ANC had to learn that while it was going to become the party of government, the manner in which it went about achieving this was more important than the fact that it would. The SAG had to learn the subtle fault-lines between the junior partner in a power sharing government and the surrender of power. In Northern Ireland, it took the parties that really had to learn to do so – the UUP and Sinn Fein – a lot longer to get to that point of understanding. Indeed, they both had put their signatures to the GFA before they had done so, and it took them the better part of 18 months to reach that pivotal fulcrum of reluctant trust that

made the formation of the power-sharing government the agreement called for possible. But at that point, reluctant trust was not sufficient, and the collapse of the arrangements agreed was for all intents and purposes a foregone inevitability.

- *The level of trust that develops among negotiators is a function of their ability to communicate outside of the formal settings of negotiating structures at crucial points.* This facilitates the alchemy of *interpersonal relations,* creates empathy with the situations counterparts face -- not as negotiators but as human beings with families and community who are trying their best to grapple with problems not dissimilar from your own, and coming up against the same kind of naysayers, you are among those on whose behalf you are negotiating. The discovery of common interests – music, books, sports, similar hobbies, children and the problems you have with them, the worries they unwittingly give you, the difficulties they have to deal with and the fact that their futures rest in the decisions you mutually take humanize the negotiating process and create bonds that go beyond the bonds that protracted negotiations themselves create.

- *If political consensus is to emerge, then mutual trust and respect, tolerance of others, and a willingness to compromise must exist at all levels.* In this regard, where there is a transparent absence of trust on each side of the divide, due in part to ingrained cultural differences with regard to language and process — some of which have their origins in competing claims to legitimacy that developed over the centuries — a negotiating process that facilitates confidence building actions is more likely to succeed than one that sets up a situation more like a poker table than a negotiating table.

- *Party leaders should not act as their party's chief negotiator.* Their function is to appoint negotiators who act on their behalf. Negotiators are given a mandate by their parties. It is the function of negotiators to negotiate away their mandates in their quest for compromise and accommodation. It is the function of party leaders to "sell" their negotiators' compromises to their parties and constituents. It is also the function of the party leader to replace negotiators who fail to present the party's mandate in the most propitious light. If party leaders act as their own chief negotiators, this may prove to be an exceedingly difficult chore.

- *At every level, negotiations should involve the inherent risk of compromise; indeed, compromise is the essential ingredient of negotiations, without which there can be no negotiations.* Each compromise is a building block. As parties grow to trust each other and move from one compromise to the next, with concessions, though difficult, being made on all sides, every party becomes invested in the process, each develops a stake in seeing the other succeed, a sum of mutual investments develops, which provides the cushion when it comes to the crunch issues.

- *The concept of "sufficient consensus" rather than being defined in an arithmetical way should be defined more flexibly as that level of consensus that allows the process to move on to the next stage and does not result in the process breaking down.* In South Africa this meant that without the agreement of both the ANC and the SAG on a particular issue, the issue remained unresolved, irrespective of where other parties stood. While their agreement would be "courted" it was no longer necessary for the process to move ahead. In Northern Ireland, what began as a two-some between the UUP and the SDLP, became a three-some once Sinn Fein joined the process, especially since the SDLP would not side with the UUP against Sinn Fein. This "triangulation" of what constituted "sufficient consensus" complicated the process, allowing Sinn Fein to exercise a degree of influence out of proportion to its numbers, an influence that was directly attributable to its "influence with" the IRA, which, to complicate matters further, was not a party to the negotiations, but rather the ghost of things to come should matters come to a grinding halt. This reality made the Irish peace process less symmetrical than the South African process. Hence, the asymmetrical problems that have arisen out of both.

- *Time tables are important, but they should not be overriding.* They concentrate minds and force participants to meet deadlines encouraging compromise, especially when progress has been made on a number of fronts, or risking the loss of progress made up to that point. However, compromises "forced" on parties in order to meet arbitrarily set deadlines can create resentments that will find ways of expressing themselves that will be disruptive at some later stage. Coerced compromises are not real compromises. In the end they create the kind of backlash they were intended to avoid.

- *All parties must feel an equal ownership in the process.* They must regard the process as being theirs, the result of their deliberations and agreements, that governments are parties to the process, not the owners of it. Negotiations in South Africa took place in the turmoil of escalating violence. The Technical Executive Committee (TEC) established by the November 1993 settlement leveled the playing field; its inclusiveness did not obfuscate the obvious: the tacit acknowledgment on the part of all that without the ANC and the NP government being "on side" sufficient consensus on the way forward simply didn't exist.

In Northern Ireland, violence, but more especially the threat of an escalation in the scale and frequency of sectarian violence provided the concentration of political will in London to put Northern Ireland on the political front-burner rather than leave it on the back-burner where it had languished in political isolation, except for the few occasions when events, usually some particularly atrocious action by the IRA, it be moved up a burner or two.

Their initiatives, however, were always seriously hampered in one regard. Invariably they were government-driven. As a result the Northern Ireland parties did not invest themselves fully in the process and were more intent on proving that they were not the ones who were to blame when things fell apart, as they always did, rather than on seeing themselves as the prime-movers in the process and investing themselves in it with the unqualified understanding that compromise was *the* indispensable ingredient of negotiation, and that without a willingness to compromise there could be no negotiations.

• *Negotiations break down. Indeed, breakdowns are an integral part of the process.* To forestall the unforeseen consequences of such breakdowns, parties should establish back-channels to each other, one or more members of their parties who iron out differences with their designated counterparts. I have already referred to the back channel the ANC and the SAG established after the breakdown in negotiations in June 1992.

• *Technical Committees are probably the most underestimated but indispensable tool of the peace process.* Technical committees are made up of experts on the issues that divide parties to the conflict. They are professional: academics, lawyers, economists, political scientists, and legal draftsmen. When a negotiating team which has responsibility for a specific or cluster of issues reach broad agreement on the outlines of a compromise on an issue, it refers the matter to the technical committee that has been assembled to assist the negotiating team to find the language that will resolve their outstanding differences, close the loopholes, add caveats, insert the necessary amendments, etc.

They take the draft agreement back to the negotiating team who study it to determine whether it meets its specifications; if not, the team refers the matter back to the technical committee again with its suggestions and reservations, and this process of going back and forth, negotiating team to technical committee and technical committee to negotiating team continues until the negotiating team is satisfied that all its respective interests and ancillary concerns are sufficiently addressed. The technical committee searches for the precise language and takes measure of its nuances to ensure that its principals' misgivings in the issue under discussion are met.

In a sense the "dispassionate" technical teams are the real negotiators debating and refining the precise definitions of processes, procedures, and institutional/ constitutional arrangements that will form the substance of a settlement.

• *Negotiators must recognize that it may not be possible to reach compromise on some positions.* Thus, they agree that when these occasions arise, they will employ agreed upon deadlock-breaking mechanisms to resolve the issue. This may require using parties/people/organizations/individuals/governments who

are not party to the conflict, but whose neutrality and integrity is acknowledged by all parties to the conflict.

- *Only win-win settlements work.* If one party feels that it has been outmaneuvered in some particular respect or coerced into making concessions it otherwise would not have made, the resulting resentment as being perceived to be the "loser" will find ways of expressing itself to the detriment of the settlement.

- *Process is everything. Get the process right, and the substance will follow.* Process takes preeminence over substance because without process there will be no substance. Without a context that provides the fragmentation and reintegration of the questions that form the core of the substance in a new way, the substance merely fragments.

- *When one party knows that an issue is "non-negotiable" as far as the other is concerned, never turn your knowledge of that into a demand that you know the other cannot meet. Never "force" the other's hand.* Besides the resentment it creates – the fact that one party uses knowledge the other has made it privy to in the course of confidential exchanges for purposes that would suggest a breach of confidence smacks of high-risk gamesmanship that undermines the fundamentals of the process itself.

- *Know thy enemy.* Ironically, precisely who "the enemy" was proved difficult for the South Africans to articulate, but more difficult still for the Northern Irish to accept -- cultural and historical difference *and* congruencies working at cross-purposes.

The ANC had always identified the white apartheid regime *and* the homeland states – the puppet black states created by the SAG as the foundation blocks of grand apartheid as the enemy that stood in the way of black liberation. One of the preconditions it had set before it would negotiate with the government would have required that all the homelands and the "independent states" be dismantled and that the "heads" of these states would have no place at the negotiating table, at least not as the representatives of legal entities. Once unbanned, the ANC abandoned this demand and began an elaborate process to "cultivate" the very people it had condemned as "enemies" of the people, "collaborators" with apartheid. It identified a simple enemy – the white government that dominated every aspect of South African life. All blacks, irrespective of whom they have made common cause with prior to the ANC's unbanning became potential allies, their "sins" forgiven in newly-formed alliances.

In Northern Ireland, the enemy, especially for republicans, was the British government and its continued "occupation" of Northern Ireland. There could only be a "lasting" settlement when Britain recognized the "folly" of its ways or

were brought to see the folly of them and withdrew. There was a bland dismissiveness of Protestants and unionism. Protestants were simply seen as "Brits" with a false sense of national consciousness who would roll over and passively submit to becoming part of an All-Ireland state, once British withdrawal made it inevitable.

Only when a series of treaties and agreements between the British and Irish governments finally convinced the republican movement that the only obstacle to Irish unity was Protestant opposition to it and that republicans would have to convince the Protestant community through negotiations that a united Ireland was in all their interests were republicans finally convinced that "the enemy" they would have to negotiate the future of Ireland with was not the British government and its forces of "occupation," but the Protestant community was progress possible. Even at this point, it is not absolutely clear that hard-line republicans accept this reality.[17] Which is why decommissioning will continue to be a problem.

- *Know thy enemy – literally.*   In South Africa, the parties sorted this question out after an initial bout of jousting. When the posturing and put-ons were discarded, the enemy on either side knew precisely whom they were dealing with. A question that appears to pose simple questions often raises more complex ones, once examined in a different context. Who makes the decisions that count? Who has capacity to deliver? Who has control over the constituency it purportedly represents? You had the IFP, PAC, DP, and god-knows how many homeland and independent state parties. And then you had the NP government and the ANC. Once the latter two stopped trying to "woo" the IFP, real negotiations were able to start. In order to shake out the real sources of authority, you have to begin by being inclusive in every phase of the process; that having being done you can afford the wheedling that identifies the principals to be carried along in the flood of events, not the riders of the flood.

On the Northern Ireland front, such subtle distinctions were never made. Getting Sinn Fein into the process became the overriding political consideration. For obvious reasons: without Sinn Fein within the process, there would be no peace. The mistaken logic was that with Sinn Fein in the process there would be peace.

When Sinn Fein announced that it did not speak for the IRA, and could not convince it to decommission, the ingrained genes of Unionist fears began to reassert themselves. Adding to their apprehensions was the confusion of tongues over the relationship between the IRA and Sinn Fein. British Prime Minister Blair said the two are "inextricably linked" and that Sinn Fein is the mouthpiece of the IRA. Irish Prime Minister Bertie Ahern agrees that the two are inextricably linked, but won't go so far as to say that Sinn Fein actually speaks for the IRA. Sinn Fein president Gerry Adams says a pox on both your

houses, that Sinn Fein and the IRA are two separate organizations and that Sinn Fein can make no commitments on behalf of the IRA. The IRA says nothing, except for the occasional Olympian utterance – that all of this is of no concern to them.[18] One reason they are not a party to the GFA.

For example, Sinn Fein commits itself in the GFA to the principal of consent? Have we heard from the IRA on whether it accepts this principle? Sinn Fein accepts that all arms must be decommissioned? Have we ever heard from the IRA on this question, other than its ingenuous statements that the British government begin to disarm itself? Whose judgments do we breathlessly await? Who are they? To whom are they accountable? And, most importantly, on whose behalf do they speak? And if we do not know on whose behalf they speak, the how can we reasonably say on whose behalf do they negotiate?

The process of negotiation, the South African parties told the Northern Ireland parties, is itself captive to the random nature of events outside the control of the parties involved but which may, nevertheless, impinge on negotiations and cause parties to switch gears in order to secure their positions with their own membership. In short, the key to a negotiation's resulting in a settlement acceptable to all parties involved in the conflict is creating trust – far easier to objectify than to achieve, especially since the parties which must establish trust among themselves must first tear down the barriers of distrust that have separated them in the past and fueled their conflict. Dismantling barriers of distrust creates a vacuum; how that vacuum is filled is germane to whether a propitious climate conducive to negotiations that lead to engagement can emerge. Negotiation is a necessary condition for *engagement,* but not a sufficient one.

- *Trust should not be confused with friendship* or *with the kind* of *trust that builds friendships.* "You negotiate with your enemies, not with your friends," Mandela said at Arniston. The trust Mandela was speaking about is the product of shared understandings, belief in the integrity of the other, acknowledgment that they too are trying to the best of their abilities to come forward with ways to overcome obstacles and have an equal appreciation of the futility of a return to violence.

In South Africa, the fact that this trust was established is the real miracle, especially when one considers the fact that between 1990 and 1994, the period covering the release of Mandela after 27 years of imprisonment and the unbanning of the African National Congress (ANC) until the country's first nonracial, one person one vote elections, over 4,000 people were the victims of political violence resulting from the activities, often clandestine, of the state's security forces, and supporters of both the Inkatha Freedom Party (IFP) and the ANC.[19]

In the end, the question of having to contemplate the alternatives to a negotiated settlement is what brought the South Africans and the Northern Irish together. In the end, it is what the two conflicts had in common: situations in which neither side could prevail; in which neither side could lose. In Northern Ireland this point is understood, but not *sufficiently* understood.

At Arniston, the South African participants were adamant on one thing: Even when there is an acknowledgment by all parties to a conflict that a negotiated settlement is the only alternative to continuing internecine violence which will not secure "victory" for one side or the other, the path to negotiations is an obstacle course that cannot be traversed in quick and easy steps, but rather one that throws up unexpected hurdles, one where good intentions often result in unforeseen consequences, a process that will stall and perhaps fail on occasion, if the role players fail to establish the necessary trust in each other's legitimate *bone fides,* genuine intentions and commitment to a negotiated settlement even in the face of misgivings and opposition among many in their own constituencies.

In South Africa, the protagonists had to learn this through trial and error, and the lessons of failure often were bought at a high price. They learned that expressions of belligerence were often covers for expressions of uncommitted willingness to talk about talks; that commitments to agreed upon settlements, no matter how well-intentioned, are often mere gestures of aspirations; that aspirations cannot be transformed into realities unless the foundations are laid to build trust among former enemies; that trust is the *sine qua non,* the one indispensable ingredient for successful negotiations; that building trust is a long and arduous process, the crossing of a landscape strewn with political land mines; that negotiations that lead to settlements require compromises on the part of all stakeholders and political pain when once-cherished beliefs have to be abandoned; that settlements should not be confused with resolution; that resolution only emerges when settlements mature. When the accommodations that were necessary to achieve a settlement become redundant with the passage of time, the entrenchment of trust, commitment to shared values, government that is inclusive and processes of governance that are fully subscribed to by all former protagonists as being equitable, representative and non-discriminatory; where differences are commonplace, unencumbered by the threat of potential conflict.

Paradoxically, the outlines of settlements are usually self-apparent, although seemingly unattainable, almost always due to the obduracy of protagonists who will not allow themselves to consider options other than outright victory. Obsession with embedded questions of identity, righting the perceived wrongs of history, the legacies of collective memories, ethnicity and religion, of issues involving the ownership of land scoured with the blood of centuries, the possession or surrender of which becomes ineluctably intertwined with questions of nationalism and sovereignty make the self-apparent self-emasculated.[20]

Unfortunately, in divided societies, compromise and surrender are for all practical purposes one and the same thing. The advocacy of meaningful compromise by one of the warring parties or parties supporting the same side is a political kiss of death. Thus, players in conflict situations are prisoners of the constraints forced on them by considerations of domestic politics. And not unusually, the difficulties that pose the most serious impediments to negotiations are due more to *intra-group* rivalries than to *inter-group* differences.

To be seen as the agent of "selling out" the aspirations of one's group – ethnic, religious, linguistic, racial or tribal is a more damning fate than to be the instrument of a fruitless war where the only sure outcome is that nothing will be settled.

The path from the acknowledgment of the inevitability of negotiations to formal agreement on negotiation procedures, defining an agenda, implementation of complex protocols and development of complementary institutional frameworks, is invariably a long-drawn out process marked by disagreements on joint declarations on the way forward, endemic distrust papered over during negotiations, political gamesmanship, and pigheaded recalcitrance.

Trust is a learned behavior. Learning takes time. In South Africa, trust began to develop only among the main protagonists -- the ANC and SAG – *after* negotiations between the two parties had broken down following the Boipatong massacre in June 1992.[21]

Following the breakdown, the SAG and the ANC established a "channel," to maintain a line of communication between the two, represented on the government side by its chief negotiator, Roelf Meyer, Minister of Constitutional Affairs, on the ANC side by its chief negotiator, Cyril Ramaphosa, Secretary General of the ANC. The two met on forty-eight occasions between June and September 1992, resolving outstanding issues between the parties and developing remarkable empathy for each other's party difficulties, fears, hesitancies to move forward, and how these issues might be addressed, but more important, developing a remarkable personal rapport. The result was the signing of a Record of Understanding between the two parties in September 1992, opening the way for the resumption of talks at the Multi-party Negotiation Process (MPNP) in February 1993 and culminating in the adoption of an Interim Constitution in November 1993, and the country's first nonracial election in April 1994.

In the absence of alternatives and the commitment on the part of both the ANC and the SAG to a negotiated settlement, they made the tough and sometimes unpalatable compromises that resulted, in their own words, in a "win-win" situation. Compromise, they both came to understand, was not only a necessity but the one indispensable ingredient of a successful negotiating process. The willingness to compromise, they also came to understand, could reveal itself only
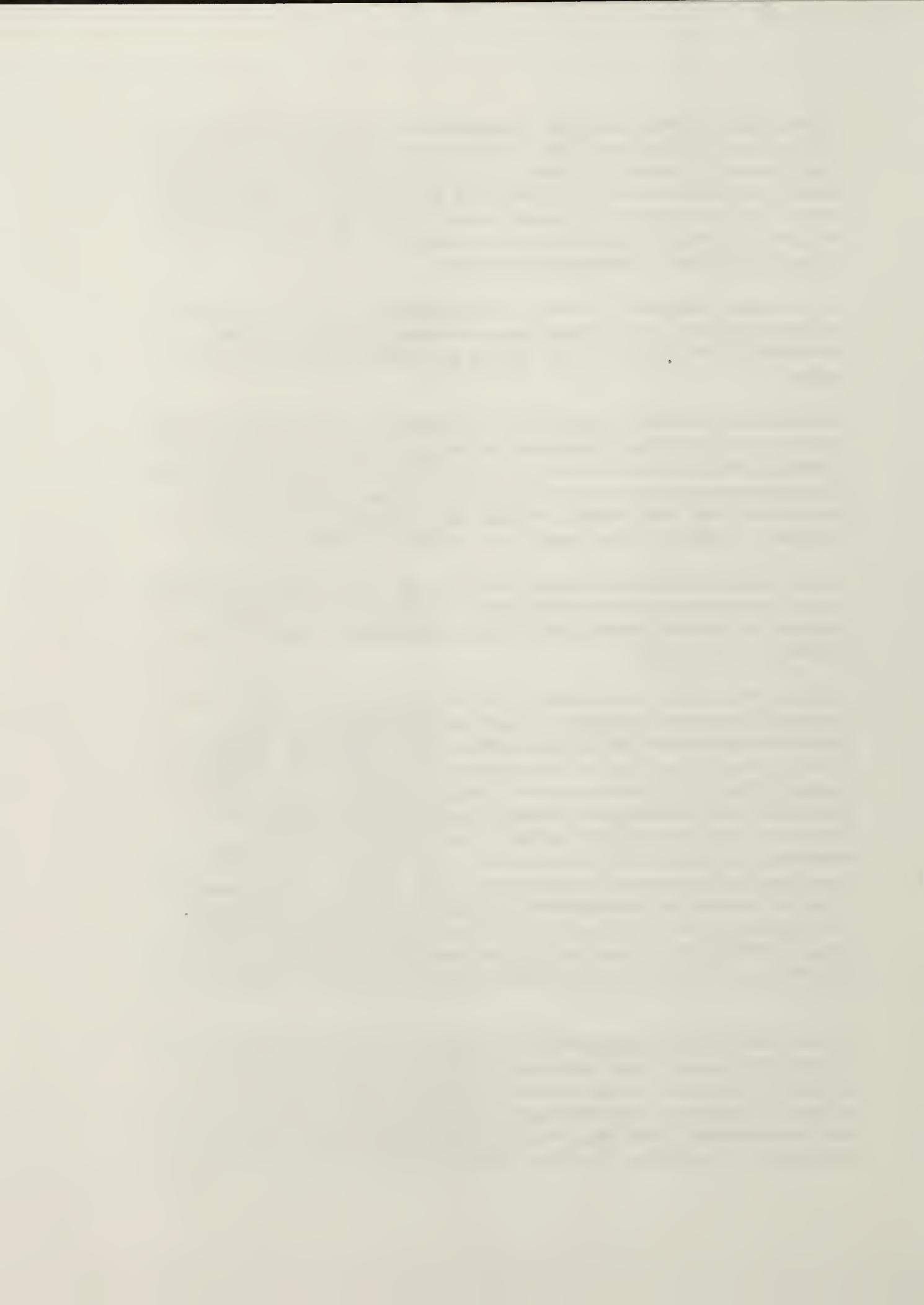
when the parties to the compromise trusted and respected each other. It is a lesson the Northern Irish understand but have yet to fully absorb.

In the end, Ramaphosa and Meyer were able to imbue their parties, once the most bitter and implacable of enemies, with the trust they had carefully, if warily, nurtured. The rest, as they say is history, but not history without pain, detours, setbacks, and rivers of blood in which the hopes and dreams of many would drown. But they pushed on because they had to; there was no going back to the "old" ways. For both blacks and whites the waiting was over.

In the aftermath of the signing of the Record of Understanding, key members of the SAG and the ANC cemented their relationship at two *bosberaad* meetings in December 1992 and January 1993. For four days they lived together, ate and drank and talked together, and came to a better understanding of one another in the most casual and unceremonious of circumstances. In four days, they stepped gingerly, and not without apprehension, across the bridges of three centuries; the informal ambiance broke down formal barriers; old animosities were seen in new and less hostile lights; the rigid stereotyping that both sides had engaged in began to abate and were slowly replaced by a new and respectful awareness of one another as individuals, which, even if not fully defined or clearly understood, offered room for *rapprochement* if not actual friendship.

In Northern Ireland, the absence of that trust is only now being addressed. Indeed, the fact that it took the *provisional* establishment of the power sharing government by the GFA twenty months to come into being after the parties had committed themselves to the agreement can be attributed directly to the endemic distrust Unionists have of Sinn Fein and the IRA.

Even when the UUP agreed to Sinn Fein's taking their seats in the assembly in September 1997, it would not talk to Sinn Fein directly; hence there were no head-to-head bilaterals between the two parties that held the future of Northern Ireland in their hands. They would communicate with Sinn Fein only through George Mitchell. Indeed, the party leaders, Gerry Adams and David Trimble, did not shake hands with each other until the GFA was signed. Even then, the handshake was perfunctory, more for the cameras than for any expression of mutual goodwill and intent to work together assiduously to steer the agreement through to harmonious implementation.[22]

The failure of the two parties to resolve the impasse over decommissioning and establishing the Executive, forced the two parties into head-to-head discussions with each other during Senator George Mitchell's eleven-week review of the agreement.
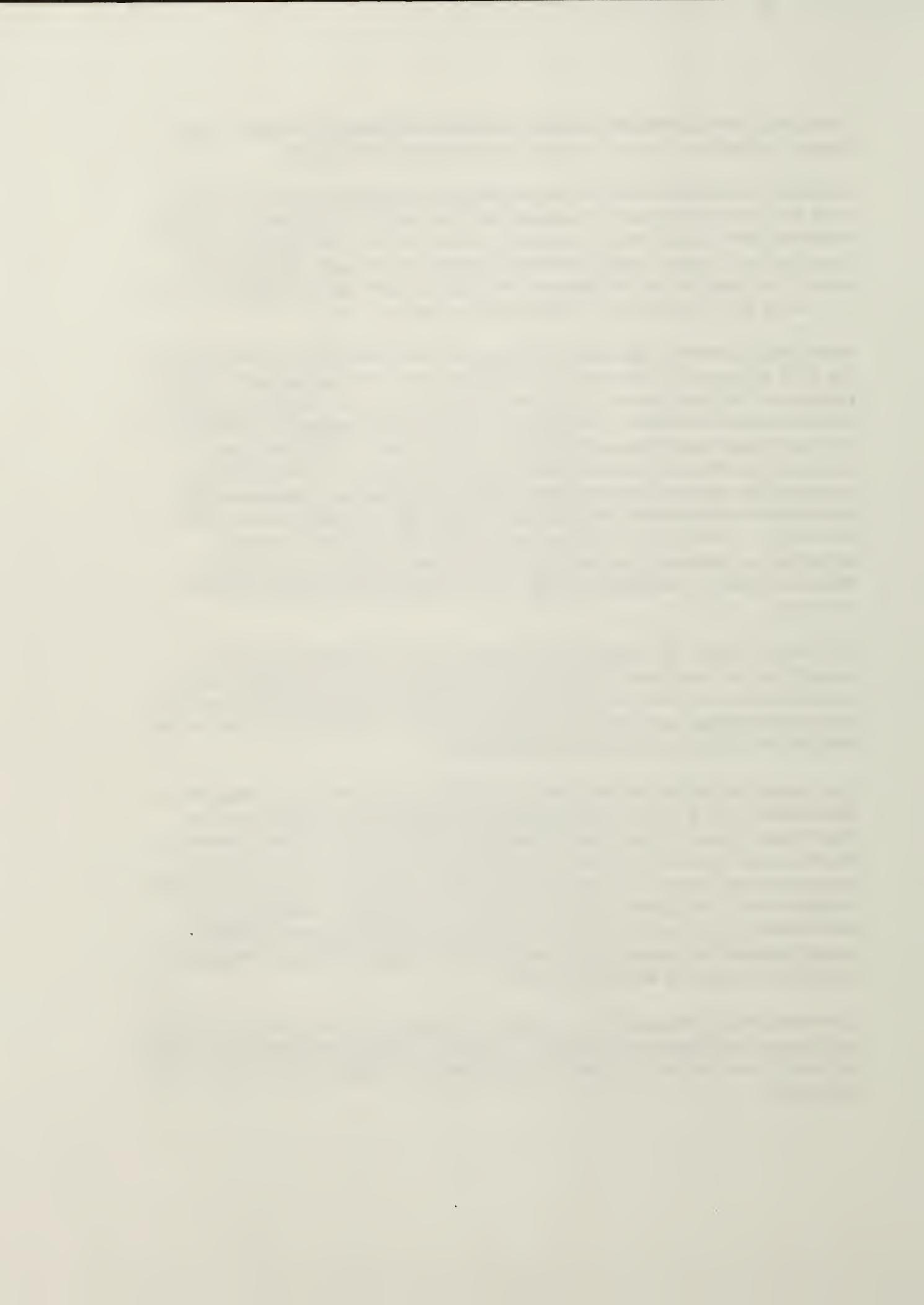
One benefit of the prolonged impasse over decommissioning that cannot be overestimated is that it finally compelled the Ulster Unionists and Sinn Fein to face each other across a negotiating table in bilateral talks.

During the long and intense review process, they had to look each other in the eye. Had to jawbone. Had to develop skeletal relationships. Had to come to a better understanding of each other's predicaments. Had to develop human images of the "other."

After Mitchell made the findings of the review public, Sir Reg Empey, the chief unionist negotiator, told the media that unionists "recognized the challenges and difficulties faced by the leadership of Sinn Fein/IRA" -- a statement that heretofore would have been an anathema, heresy that could be exorcised only with excommunication from the party.

Others were also noting the change in the relations between the two parties. Indeed, in the weeks leading up to the conclusion of the Mitchell Review, the panaceas heaped on the two parties for their developing understanding of each other's problems teetered on the obsequious.[23]

Mitchell himself commented on the "reluctant camaraderie" that developed, the ineluctable result of Sinn Fein and the UUP having to work long, intensive days under sustained pressure and no time-outs.

In the statement accompanying his review of the agreement, Mitchell said:

> Not long ago, the Ulster Unionists and Sinn Fein did not speak [to each other] directly. In the early weeks of the review, their exchanges were harsh and filled with recrimination. But gradually, as one of them put it, 'trust crept in'...and the discussions became serious and meaningful.[24]

Later he went a step further:

> The talks had been very tough until the venue moved to the US ambassador's residence in London. We sat in the ambassador's living room. We shared meals together. I insisted that there not be any discussion of issues at meals, that we just talk about other things so that they could come to view each other not as adversaries but as human beings and as people living in the same place and the same society and wanting the same thing.[25]

The *bosberaad* had come to the Court of St. James'. But whether it has done any good, other than to make strangers less strange to each other rather than to foster a camaraderie that remains little more than reluctant, is problematical. But even that, in the circumstances of the fierce antagonism that exists between Sinn Fein and the unionists, this was an achievement of considerable import.

In the end, the Mitchell Review did not produce a compromise, merely the promise of one.

With the decision by assembly members to sanction Sinn Fein's participation in the peace process, after the IRA resumed its cease-fire, the DUP and the UKUP turned their backs on the process and abandoned the assembly. Their departure, rather than bringing matters to a halt, allowed the remaining parties to get their houses in order and get down to the serious business at hand. Up to that point, the party negotiators were "playing" at negotiations.

Mitchell makes an insightful observation on the DUP/UKUP decision to quit the talks:

> If their objective was, as they repeatedly insisted, to end this process, then their walk-out was a fateful error. Reaching agreement without their presence was extremely difficult; it would have been impossible with them in the room. No one can ever say for certain what might have been, but I believe that had McCartney and Paisley stayed and fought from within, there would have been no agreement. Their absence freed the UUP from daily attacks at the negotiating table and gave the party room to negotiate that it otherwise might not have had.[26]

What is perhaps most revealing about Mitchell's observation, however, is that *intraparty* community rivalries for political control of the community on one side or the other of the divide often prove to be more troublesome to whatever parties are predisposed to negotiations than *interparty* community rivalries over the division of power. Thus, moderate parties in negotiations are frequently obsessed not with positions taken by their counterparts on the other side of the divide, with which they may empathize, but by how their being seen to share similar reconciliatory positions with the "enemy" may be used against them by parties opposing them within their own community to undermine political support among their constituents.

Hence, they find themselves having to take measure of proposed initiatives not out of their being opposed to them but to preclude the perception of their being weak, easily manipulated, and not representing the best interests of their community. This makes the process more intricate; progress is slow and incremental. It underscores one of the most important principles that are the hallmark of successful negotiations: always put yourself in the shoes of your opponent, for without an understanding of the difficulties he faces in his community, you cannot help him overcome them; therefore, you cannot advance your own position.

The DUP/UKUP walkout and the consequent freeing of the UUP's hands was in a sense a replay of what had happened in South Africa.[27]

The refusal of the Conservative Party to have anything to do with a negotiating process that included the ANC, and its decision not to participate in the Convention for a Democratic South Africa (CODESA), was a catastrophic mistake on its part. More important, the party's refusal to participate in the April 1994 elections sounded the death knell for the party. In the cliched terms of the times, the train had left the station and if you were not aboard, you were left abandoned on the platform.
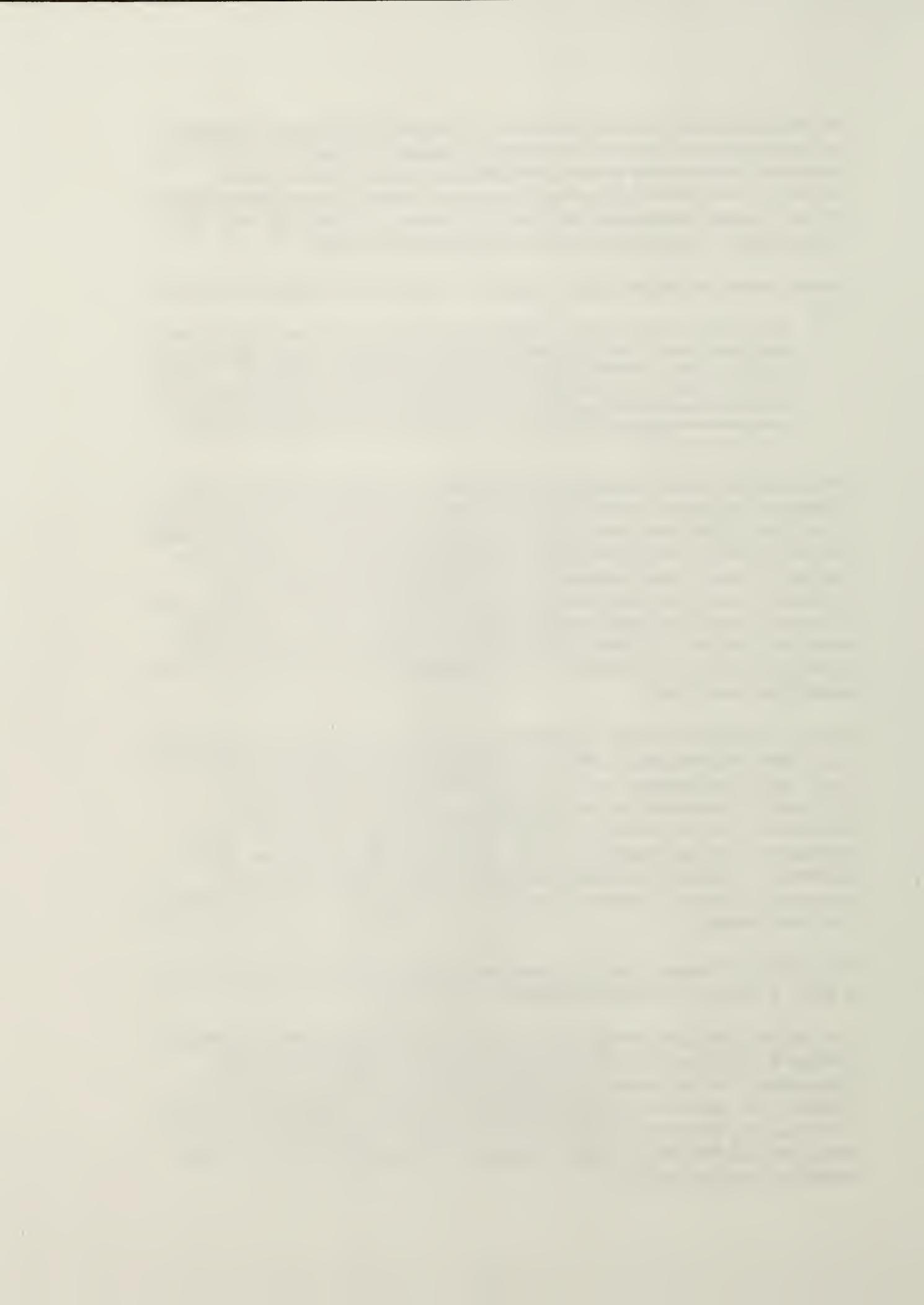
The mistake worked to the advantage of both the government and the ANC. It provided De Klerk and his negotiators with more room for maneuver and allowed them to use the threat of a right-wing backlash to wring concessions from the ANC, concessions it otherwise would not have been amenable to. It spared the ANC of having to put every issue to the test of "sufficient consensus," and the guerrilla "word-fare" the CP would have undoubtedly engaged in with relentless ferocity to make the process unworkable, the passage of time without anything being accomplished always working to its advantage.[28]

In Northern Ireland, the right wing (DUP) learned assiduously from the mistakes of the South African right wing. Although it walked out of the assembly when Sinn Fein was admitted, it never left the process. It learned that once abandoning a process, your power of control over its direction becomes nonexistent unless you have a paramilitary capacity to support your withdrawal. (Sinn Fein always had the support of the IRA; the DUP never had the support of any Protestant paramilitary organization.)

Once you throw in your hand, you deal yourself out of the game, become a spectator and watch the remaining players split the residual spoils.

The DUP, despite its commitment to "destroy" the GFA, never did so at the price of sacrificing the two ministerial positions its numbers entitled it to. Hence, its participation in the power-sharing Executive - with Sinn Fein - despite its disavowals that it would never do so. It always understood the difference between *"objection"* and *"absentionism"* -- ironically, something it took Sinn Fein more than sixty years to learn.[29]

In Northern Ireland, negotiations are more complicated than in South Africa, perhaps because the issues are more amorphous and less amenable to precise definition. Once Sinn Fein met the conditions for participation in negotiations, the axis of power shifted: Sinn Fein and the UUP became the key players, if only because anything that was acceptable to Sinn Fein had to be acceptable to the SDLP, while the opposite did not hold true. A necessary condition for a *peaceful* settlement was Sinn Fein acquiescence to the outcome, even though it represented a minority of the minority community. But that in itself would have been insufficient without the UUP's concomitant support.

POST- ARNISTON

Was it a worthwhile endeavor? Did it have an impact on the negotiating process in Northern Ireland?
The following are brief quotes from the observations Northern Ireland participants and political commentators imparted to me.

- *"On a distant field of a South Africa game park [David Trimble] began the journey in earnest from leader of one tribe to the architect of a new*

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inclusiveness in Ulster. It was after that trip, according to one close friend "that he knew common ground could develop between himself and [Seamus] Mallon." Michael Grove, *The Times,* 4 July 1998

- *"I [found that] I could learn to love my enemy. We had people there from the NP, the African National Congress, people from the old South African Defence Force and many of the other political parties involved in the negotiations. What I found really interesting about it was that obviously a number of years previously these people were bitter enemies, and here they were sitting together. From watching their body language it was clear that many of them actually liked each other, even loved each other. The message for me was that if they can do that, we can do that also. No party could remain unaffected by what they heard and I believe that in the weeks and months ahead we could possibly see the results of that trip."*
  Martin McGuinness, Sinn Fein chief negotiator, *Weekly Mail & Guardian,* 19 September 1997

- *"For me the real value of the trip was how the key players handled the process, how they related to each other, how they overcame difficulties in the process as they developed."*
  Jeffrey Donaldson, MP,Ulster Unionist Party, 7 January 1999

- *"Each group in South Africa, not each participant in South Africa, felt some acceptance of their identity in the final outcome. I learnt that the process was in the ownership of the participants."*
  Gregory Campbell, Democratic Unionist Party, 7 January 1999

- *"Perhaps the most important message was to people who might be tempted to jump off [the] negotiating train. That message got through to some very important people. If you walk out of any process that's the road to ruin and marginalization."*
  John, Lord Allardyce, former leader of the Alliance Party, Speaker of the NI Assembly, 6 January 1999

- *"What we all took away were many lessons about how the South Africans had handled their process, particularly the confidence-building dimension, which we hadn't fully appreciated in terms of the extent to which it could go, the significance of it, and the way in which it was subsequently built into our negotiating process."*
  Sean Farren, Senior Negotiator, SDLP, 9 January 1999

- *"It was probably a critical turning point in our negotiations and it happened at the right time which was gratuitous inasmuch as it couldn't have been planned to have happened at the critical turning point."*
  Monica McWilliams, Women's Coalition, 7 January 1999

- *"Listening to the South African negotiators — the generals and the politicians — was vitally important to us. You had, for example, Mac Maharaj [a senior*

ANC operative and key negotiator]. *He had the authority to reinvigorate the MK war. But he was redeployed to defend the peace process. That is very similar to what happened to the UVF. The UVF had a kitchen cabinet whose job it was to escalate the war to end the war. But out of their deliberations and their analysis came an appreciation about things that were going on among Republicans and they decided it was better to have a look at these things rather than escalate the war. So there were things that had resonance. The importance of increased communication between politician and paramilitaries was something very evident when we learned how people like Matthews Phosa [another key ANC negotiator] were used to ensure that the communication levels were increased between the militarist and the politician. All had resonance for us. I think the constitutional Unionist politicians were very affected by South Africa. Trimble and Robinson were. Robinson's own admission to me on the way back in the airport at Johannesburg made it very clear that he found it a very significant journey and a very significant experience. We may not have seen that played out fully in all of his politics but the level of understanding in the period of transition was vitally important for people who knew what they would have to do but hadn't got the balls to do it. Perhaps for them to recognize that you're not alone in this world and that others have gone through it before you with more stark division and brutality and pain than we has had an impact."*
David Ervine, Progressive Unionist Party, 9 January 1999

- *"We came, we saw, we listened, we learned — and we applied "*
  Gary McMichael, Ulster Democratic Party, 9 January 1999

- *"The round table seminar in South Africa, away from the media spotlight, which was attended by representatives of all the parties involved in the negotiations in Northern Ireland, provided an invaluable forum for face-to-face discussion between parties and people who found it extremely difficult to meet on their home ground in Northern Ireland. In facilitating that process of human interaction, the South African retreat could be described as a precursor to the type of atmosphere which helped us achieve the breakthrough in the review carried out under the chairmanship of George Mitchell."*
  Bertie Ahern, T.D., Irish Prime Minister, South African Institute for International Affairs, University of the Witwaterstrand, Johannesburg, South Africa,12 January 2000

- *"[Ahern] highlighted the round-table discussions between key Irish players, held in South Africa in 1997, as having heralded a breakthrough. "It was highly complex, and South Africa went to a lot of expense to assist and show people what could be achieved, and I know that all politicians without exception who played a part in that discussion came home believing that this problem [the Northern Ireland problem] could be cracked in some way. This was no more than two years before they made the enormous moves that they had not dared to dream about for the previous sixty to seventy years."*
  Michael Morris, interview with Bertie Ahern, *The Sunday Independent* [South Africa], 16 January 2000

Eleven problems threaten to "throttle" the Northern Ireland peace process with what are formidable but not insurmountable obstacles: each stands in striking contrast to the manner in which events unfolded in South Africa.

First, the absence of continuing meaningful contact between the UUP and Sinn Fein at the highest levels. Without establishing key back channels, without helping each other to bring their respective recalcitrant communities into line, the *prima facie* preconditions for a durable self-sustaining accommodation will continue to be elusive. The trust that is the *sine qua non* for such an accommodation does not exist. Establishing it is a matter of immediate urgency.

Second, the absence of contact between the IRA and party, other than Sinn Fein, making it impossible to distinguish between Sinn Fein as player and Sinn Fein as surrogate.

Third, the absence of any strong belief in Northern Ireland that the suspension of the peace process will eventually result in the collapse of the process, the belief that somehow the process has become self-sustaining.

Fourth, the absence of a belief that failure will result in some cataclysmic upheaval, i.e. a blood bath of unfathomable proportions.

Fifth, a propensity to believe that cease-fires that have held for four years will not become casualties of prolonged stalemates; that there is no going back to "the bad old days."

Sixth, the sense of false security that repeated last minute "rescue" turnarounds has induced has engendered a political ennui where people believe that the protagonists have lost the will to "restart" the conflict.

Seventh, the amorphous yields of the peace "dividend" have dulled memories of the 30 years of violence, creating a vacuum of will.

Eighth, an unstated but very firmly rooted belief that the process has become irreversible in the sense that the costs of going backwards are far greater than the imperceptible gains of going forward.

Ninth, the "millennium" factor – that the last ten years of slaughter in the former Yugoslavia makes the conflict in Northern Ireland look rather amateurish. As wars go, Northern Ireland is a Third Division affair, not the stuff of the "big" leagues. That in the 2000s, it's more about nonsense than about beliefs.

Tenth, national identities are no longer threatened or embraced in the way in which they were 30 years ago. The parades will go on and we will quarrel forever. Drumcree is war by other means.

Eleventh, Decommissioning. In South Africa, the matter was never satisfactorily dealt with, but in a sense it didn't make any difference. In the final analysis it would have involved the ANC as liberation movement having to hand over guns to the ANC as government. In Northern Ireland the question is both qualitatively and quantitatively different.

CONCLUSIONS

There are none. The failure to resolve the matter of decommissioning resulted in the institutions of the GFA being suspended on 11 February 2000 — in retrospect an unsurprising outcome, given the way in which the matter was handled throughout the process.[30]

But it was an unfortunate one in the sense that in using legislative means to do so, the British government "took" ownership of the process away from the parties in Northern Ireland, thus undermining their need to understand that in the final analysis it is up to them to negotiate their differences, that only when they acknowledge this fundamental principle which underpins all successful peace processes will they empower themselves to reach the necessary but unpalatable accommodations that will secure the peace.

Enforced coalitions rarely work, and never under circumstances where the "partners" to power sharing have mutually opposing aspirations — antithetical to each other in the perpetuation of "us" and "them." South Africa remains an experiment, Northern Ireland a laboratory test.

We can share our experiences with one another but we cannot replicate them. Learning from others is no substitute for learning from ourselves. Voices heard are not voices listened to. In this respect, the Northern Irish have a distance to travel before they can transmogrify putative trust into purposive risk-taking.

Decommissioning is, as Senator Mitchell insightfully pointed out, symptomatic of a larger problem: the absence of trust.

And therein, the worm at the core. The worm, however, has many ways of wriggling.

ENDNOTES

1. The major South African negotiators came from the African National Congress (ANC), National Party (NP), Pan Africanist Congress (PAC), Freedom Front (FF), Inkatha Freedom Party (IFP), and the Democratic Party (DP). Adding to the organizational difficulties was the fact that the IRA's cease-fire was not in operation at the time. Hence both the UUP and DUP insisted on certain logistical arrangements that would ensure that they would never have to be in the presence of the Sinn Fein delegation. For a fuller account, see Padraig O'Malley, Northern Ireland and South Africa: The *De Hoop Indaba,"* John W. McCormack Institute of Public Affairs, University of Massachusetts Boston, April 2000.

2. John Darby, *Intimidation and the Control of Conflict in Northern Ireland*, Gill and Macmillan, Dublin, 1986.

3. Herbert Adam, Frederik Van Syl Slabbert, and Kogila Moodley, *Comrades in Arms,* Tafelberg Press, Cape Town, South Africa, 1997.

4. In *Ten Thirty-Three,* Nicholas Davies makes the claim that the Afrikaner right-wing sold $600,000 of arms to the UDA. "The Afrikaners," he says, "believed they were helping their blood brothers. See *Sunday Independent* [South Africa], 28 November 1999.

5. Adam et al., *Comrades in Arms.*

6. In 1974, the two governments made their first comprehensive attempt to find a settlement. The Sunningdale Agreement was the result of their efforts. Although it failed, it laid out the broad parameters for any future settlement. In 1981, the two governments initiated the Anglo-Irish process "to examine the totality of relationships between the two islands." In 1985 they signed the groundbreaking Anglo-Irish Agreement, which gave institutional expression to the South's role in regard to the Catholic minority in the North, creating the dynamics that led to the GFA in 1998.

7. Mandela himself, at the Rivonia Trial, explained why the ANC turned to violence: "The hard facts," he said, "were that fifty years of nonviolence had brought the African people nothing but more and more repressive legislation, and fewer and fewer rights . . . It was only when all channels of peaceful protest had been barred to us that the decision was made to embark on violent forms of political struggle and to form *Umkhonto we Sizwe.*" See Nelson Mandela, *Long Walk to Freedom,* Abacus, London, 1995, p. 433.

8. See the Truth and Reconciliation Commission of South Africa Report (TRC), Cape Town, South Africa,1998. For a critique of the commission's report, see Anthea Jeffrey, *The Truth about the Truth Commission,* South African Institute of Race Relations (SAIRR), 1999.

9. "The IRA gets its mandate to fight," said Gerry Adams, "from the presence of British troops in this country [Ireland]. It doesn't seek an electoral mandate. It comes from the British claim to sovereignty over this part of Ireland [Northern Ireland]." Interview with author, 15 November 1989. See Padraig O'Malley, *Questions of Nuance,* Blackstaff Press, Belfast, 1990.

The IRA has never been convinced by the arithmetic of conventional politics. Its rationalization of its mandate for the "armed struggle" denies an understanding of fundamental democratic principles. Its allegiance is not to freedom but to its own conception of history. Hence the impasse on decommissioning that would bedevil the process.

Perhaps the most eloquent statement of the IRA's position was enunciated by Thomas McDonagh at his court martial in 1916: "We do not profess [he said] to represent the mass of the people of Ireland. We stand for the intellect and the soul of Ireland. To Ireland's soul and intellect the inert mass, drugged and degenerate by ages of servitude, must, in the distant day of resurrection, render homage and free service."

10. See Andy Pollak, ed., A *Citizens' Inquiry: The Opshal Report on Northern Ireland,* Lililiput Press, Dublin, 1993.

11. See Padraig O'Malley. *The Uncivil Wars: Ireland Today,* Houghton Mifflin, Boston, 1983, and *Biting at the Grave: The Irish Hunger Strikes and the Politics of Despair,* Beacon Press, Boston, 1990.

12. See Dan O'Meara, *Forty Lost Years,* Ohio University Press, 1996. Also, my interviews with former head of the South African Defence Force, General George Meiring, and former head of the South African Police, General Johann van der Merwe, February 2000, Pretoria, South Africa.

13. The fact that the Catholic church has relaxed its conditions regarding "mixed" marriages — in the past the non-Catholic partner had to give an undertaking that the children of such a marriage would be raised as Catholics, which led to a steep decline in the number of Protestants in the South — has had as much impact on their thinking as the belief still prevalent among some whites in South Africa that the communist monolith is alive and well and lurking in the corridors of power, awaiting its moment to pounce upon an unsuspecting population.

However, the reasons for Protestants' being adamantly opposed to an all-Ireland state during the whole course of the conflict — opinion polls over a 25-year period consistently reflect that less than 10 percent of Northern Ireland's Protestants would consider becoming part of an all-Ireland state under any circumstances — have never been adequately researched. Yet it is one of the questions most germane to an understanding of the conflict.

14. My interviews with Neil Bemard, former head of the South African National Intelligence Agency, 8 November 1999. Also, Nelson Mandela, *Long Walk to Freedom* .

15. As early as 1979, the British government conceded in a report prepared by Brigadier James Glover, later General Commanding Officer of British forces in Northern Ireland, drew up a secret report for the Army entitled "Northern Ireland: Future Terrorist Trends," in which he concluded that "the Provisionals' campaign of violence is likely to continue while the British remain in Northern Ireland . . . We see little prospect of political development that would seriously undermine the Provisionals' position. PIRA will probably continue to recruit the men it needs. They will be able to enhance their all-around professionalism." See Padraig O'Malley, *The Uncivil* Wars. It took the IRA some time to "catch up." See *Ophsal Report on Northern Ireland;* Brendan O'Brien, *The Long War: The IRA and Sinn Fein,* Syracuse University Press,1995; David McKittrick, *The Nervous Peace,* Blackfast Press, Belfast, 1996; Kevin Tollis, *Rebel Hearts,* St. Martin's Press, New York, 1996; Peter Taylor, *Provos: The IRA & Sinn Fein,* Bloomsbury, London, 1997; Paul Bew and Gordon Gillespie, *Northern Ireland: A Chronology of the Troubles* 1968–1999, Gill and Macmillan, Dublin, 1999; Jack Holland, *Hope Against History: The Ulster Conflict,* Hodder and Stoughton, London, 1999.

16. George Mitchell, *Making Peace,* Alfred A. Knopf, New York, 1999.

17. See the IRA's New Year message in *An Phlobacht,* 6 January 2000: "It remains our view that the ending of British government interference in Irish affairs offers the only basis for the establishment of a just and lasting peace in Ireland."

18. One has only to review reactions to the report of the International Body, chaired by Senator George Mitchell (the Mitchell Commission), to get a "fix" on the IRA's position. The report, issued in January 1996, made a number of suggestions ("the parties should consider . . . an approach that would represent a compromise"), not recommendations to break the impasse on decommissioning and open the way for multiparty talks. It called on all parties to commit themselves to six principles, which included the total disarmament of all political organizations and suggested that decommissioning take place in tandem with talks. The IRA did not bother to

respond to the commission's "compromise" suggestions, leaving it to Sinn Fein to argue the issue. But Sinn Fein began to make it increasingly clear that while it spoke to the IRA, it did not speak for the IRA. See Padraig O'Malley, *Northern Ireland* 1983–1996, McCormack Institute, August 1996.

19. For accounts of this violence, see Anthea Jeffrey, *The Natal Story: Sixteen Years of Conflict* (SAIRR), Johannesburg, South Africa, 1995, for the most comprehensive account of the violence in KwaZulu/Natal. For a partial but very incomplete examination of the violence, see the report of the TRC; for an examination of some of the efforts to contain the violence, see Hassen Ebrahim, *The Soul of a Nation,* Oxford University Press, London, 1998.

20. See Louise Nieuwmeijer and Renée du Toit, eds., *Multicultural Conflict Management in Changing Societies,* HRSC, Pretoria, South Africa,1994; Thomas Ohlson and Stephen John Stedman, *The New Is Not Yet Born: Conflict Resolution in Southern Africa,* Brookings Institution, Washington, D.C., 1994; John Cash, *Identity, Ideology, and Conflict: The Structuration of Politics in Northern Ireland,* Cambridge University Press, Cambridge, 1996; Michael W. Haughey, ed., *New Tribalisms: The Resurgence of Race and Ethnicity,* New York University Press, New York, 1998.

21. On 17 June 1992, more than forty residents of Boipatong were massacred in a systematic attack. The ANC insisted that residents of a local hostel, controlled by the IFP, were to blame and that the police were complicit in the massacre. As a result, the ANC broke off all negotiations with the government. The De Klerk government, the ANC reiterated, was ultimately responsible for the attack because of its failure to take action against those who had been involved in previous incidents of violence that the ANC had brought to its attention.

22. During July and August 1999, there was a back channel of sorts between "middle level" operatives in the UUP and Sinn Fein. However, the channel did not operate at the most senior level. Confidential information supplied to me.

23. See Deaglun de Breadun,"Trust Between SF and the UUP Growing," *Irish Times,* 13 November 1999

24. *Irish Times,* 18 November 1999

25. *Irish Times,* 19 November 1999.

26. George Mitchell, *Making Peace,* p. 110. Bob McCartney was leader of the UKUP and the Rev. Ian Paisley leader of the DUP. For Mitchell's assessment of Paisley, see Mitchell, *Making Peace,* pp. *50–52.*

27. In March 1982, a rupture occurred in the National Party (NP) when a significant number of National Party MPs, under the leadership of Dr. Andries Treurnicht, leader of the NP in the Transvaal, abandoned the NP — they saw the structures under consideration in the NP for some limited form of power sharing with Coloureds and Indians as a fundamental betrayal of the principles of Verwoerdian apartheid — and formed the Conservative Party (CP).

28. But even though the CP was not part of the process itself, its continued barrages of criticism that the NP was selling out the Afrikaner nation began to exact a toll on the NP. The CP won a series of by-elections, putting it in a position to claim that the NP no longer represented the majority of Afrikaners.

De Klerk, cleverly, opted for a referendum and put a simple question to the white electorate: "Do you support continuation of the reform process that the state president started on 2 February and which is aimed at a new constitution through negotiations?" The wording was brilliant in its vagueness, yet so implicitly direct in the implications of a no vote that it didn't give whites a choice; rather, it presented them with a subliminal ultimatum: Armageddon or else. And he had the support,

albeit grudgingly given, of the ANC and the media — indeed, of all institutional organs of opinion and influence.

De Klerk won the referendum convincingly and no longer had to look over his shoulder. The CP returned to the trenches and complained about the unfairness of it all. See F. W. De Klerk, *The Last Trek: A New Beginning,* Macmillan, London. 1998.

29. See Paul Bew, *Irish Times,* 28 December 1999. "For some time, the DUP has been astute enough to avoid the pure logical reductionism of Mr. McCartney. It has drawn the lesson from the South African experience that conservative forces cannot allow themselves to opt out of the process. Indeed, it had gone for an each-way bet: at one moment, Peter Robinson, as a responsible minister, happily drops the sour-face mode to engage with Derry nationalists and republicans; on the other hand, they continue to denounce the agreement. It is a position that infuriates the Ulster Unionists. In fact, it is perfectly sustainable until the February denouement, but then whatever happens — barring a Trimble political suicide note — the DUP will have to change. Either in government or outside it — pursuing the argument on decommissioning — it will be increasingly impossible for the DUP to present Mr. Trimble as the arch-betrayer."

30. Almost 20 months after the GFA was ratified, the power-sharing Executive and other institutions, the agreement called for finally came into being but with the clear understanding on the UUP side that it would withdraw from government if the IRA had not begun to decommission its weapons by 12 February 2000. To buttress his position with the Ulster Unionist Council, the governing body of the UUP, Trimble provided it with a predated letter of resignation as First Minister. As part of the "interim" arrangement, the IRA agreed to appoint a representative to the International Body on Decommissioning, under the chairmanship of General John De Chastelain, in order to facilitate this process. On 5 February 2000, the IRA issued a terse statement that "we have never entered into any agreement or undertaking or understanding at any time whatsoever on any aspect of decommissioning." Which is true — it was not a party to the GFA.

On 11 February, De Chastelain issued a second report in which he said that "we find particularly significant and view as valuable progress the assertion made to us by the IRA representative that the IRA will consider how to put arms and explosives beyond use, in the context of the full implementation of the Good Friday Agreement, **and in the context of the removal of the causes of conflict** (my boldface). Which begs the obvious question: Whose causes are we talking about? On 15 February, in response to the suspension of the GFA institutions, the IRA withdrew its representative from the De Chastelain Commission. In its statement, the IRA said, "Those who have made the political process conditional on the decommissioning or silenced IRA guns are responsible for the current crisis in the peace process."

On 20 February, Peter Mandelson, Secretary of State for Northern Ireland, announced that the British government may release a timetable for the withdrawal of British troops from Northern Ireland. He said the British government wanted to normalise security in the North but added that any changes must be "in the context of the threat (of violence) going away and politics working." He told *The Observer* newspaper: "The idea that the British government want the military to hang in there and talk tough, irrespective of the political process, is nonsense. We want to normalise security. There is no pressure to keep more battalions permanently based in Northern Ireland than are strictly needed for low-key patrolling purposes."

"Withdrawal of British troops" — music to the ears of the IRA. It's what it has been after all along. See *Opsahl Report on Northern Ireland.*

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